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State Of Wisconsin
Before The Wisconsin Board Of Nursing

In The Matter Of Disciplinary Proceedings Against

June M. Kruck, , L.P.N.

FINAL DECISION AND ORDER

Respondent.

Case 0001078NUR

Division of Enforcement Case # 98 NUR 45

The parties to this action for the purposes of Wis. Stats. §. 227.53 are:

June M. Kruck L.P.N.
N10308 Highway 151
Malone WI 53049

Wisconsin Board of Nursing
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The Wisconsin Board of Nursing received a Stipulation submitted by the parties to the above-captioned matter. The Stipulation, a copy of which is attached hereto, was executed by June M. Kruck, L.P.N., personally, and by Claudia Berry Miran, attorney for the Department of Regulation and Licensing, Division of Enforcement. Based upon the Stipulation of the parties, the Wisconsin Board of Nursing makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. June M. Kruck, L.P.N., was born July 28, 1955. Ms. Kruck's latest address on file with the Department of Regulation and Licensing is N10308 Highway 151, Malone, WI 53049.
2. Ms. Kruck is licensed to practice in the state of Wisconsin as a nurse pursuant to license #21049, which was first granted on November 28, 1978.
3. In June 1997, Ms. Kruck took two samples of penicillin from supplies at her employer, Fond du Lac Clinic, without a prescription or other authorization. She administered the penicillin to her husband, who had been harrasing her to bring him some medication for a respiratory infection.

CONCLUSIONS OF LAW

1. The Board of Nursing has jurisdiction in this matter pursuant to § 441.07 (1), Stats.
2. The Board of Nursing has the authority to resolve this disciplinary proceeding by Stipulation without an evidentiary hearing pursuant to § 227.44 (5), Stats.
3. Wis. Adm. Code § N 7.04 (2) provides that administering, supplying or obtaining any drug other than in the course of legitimate practice constitutes misconduct or unprofessional conduct.
4. Ms. Kruck's actions in taking the penicillin samples and administering them to her husband without prescription or other authorization therefore constitute misconduct or unprofessional conduct.

ORDER

NOW, THEREFORE, IT IS ORDERED that the stipulation of the parties is approved.

IT IS FURTHER ORDERED that:

1. June M. Kruck, L.P.N., is hereby REPRIMANDED.
2. Ms. Kruck shall, within twelve (12) months of the date of this order, submit documentation acceptable to the Board showing successful completion of continuing education in the following areas:
 - A. Medication Administration, 4 hours;
 - B. Nursing ethics 4 hours; and
 - C. Boundaries, 8 hours.
3. Ms. Kruck shall obtain pre-approval of one or more courses from the Board or its designated agent before takes the course(s) in fulfillment of this requirement.
4. The parties waive all costs in this matter.
5. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including pre-approval of continuing education and receipt of all reports. The Department Monitor may be reached as follows:

Department Monitor

Division of Enforcement

Department of Regulation and Licensing

P. O. Box 8935

Madison, WI 53708-8935

FAX (608) 266-2264

TEL. (608) 267-1805

The rights of a party aggrieved by this Final Decision and Order to petition the Wisconsin Board of Nursing for rehearing and to petition for judicial review are set forth in the attached "Notice of Appeal Information."

This Order shall become effective on the date of its signing.

By

Ann Brewer, RN

January 7, 2000

A Member of the Board

Date